

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA and
STATE OF FLORIDA *ex rel.*
OMNI HEALTHCARE, INC.

Plaintiffs,

v.

STEWARD HEALTH CARE SYSTEM LLC;
STEWARD HEALTH CARE HOLDINGS LLC;
STEWARD HEALTH CARE INVESTORS, LLC;
CERBERUS CAPITAL MANAGEMENT, L.P.;
STEWARD PHYSICIAN CONTRACTING, INC;
STEWARD MELBOURNE HOSPITAL, INC d/b/a
MELBOURNE REGIONAL MEDICAL CENTER;
STEWARD ROCKLEDGE HOSPITAL, INC. d/b/a
ROCKLEDGE REGIONAL MEDICAL CENTER;
RALPH DE LA TORRE; MICHAEL CALLUM;
DANIEL KNELL; JOSH PUTTER; TIM
CROWLEY AND JAMES RENNA,

Defendants.

Case No. 3:21-cv-0870-S

**MOTION TO DISMISS BY DEFENDANTS JOSH PUTTER, TIM CROWLEY, AND
DANIEL KNELL**

Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), Defendants Josh Putter, Tim Crowley, and Daniel Knell (“Movants”) respectfully move the Court to dismiss all claims asserted against them in Relator Omni Healthcare Inc.’s complaint (ECF No. 2). The grounds for this motion are fully set forth in the Movant’s accompanying brief in support of their Motion to Dismiss as well as in the Steward Defendants’ adjacent briefing (ECF No. 60).

JOSH PUTTER, TIM CROWLEY, AND
DANIEL KNELL,

By their attorneys,

/s/ Thomas G. Yoxall

Thomas G. Yoxall

Texas Bar No. 00785304

tyoxall@lockelord.com

Nicholas S. Graber

Texas Bar No. 24122918

Nick.graber@lockelord.com

2200 Ross Avenue

Suite 2800

Dallas, TX 75201

(214) 740-8000

Howard M. Cooper

hcooper@toddweld.com

Massachusetts Bar No. 543842

Seth J. Robbins

srobbins@toddweld.com

Massachusetts Bar No. 655146

Keval D. Kapadia

Massachusetts Bar No. 709323

kkapadia@toddweld.com

TODD & WELD LLP

One Federal Street, 27th Floor

Boston, MA 02110

Dated: November 10, 2023

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2023, I electronically filed the foregoing document using the Court's ECF system, which will send notice of the filing to all counsel of record via e-mail.

/s/ Thomas G. Yoxall

Thomas G. Yoxall